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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,279	06/27/2001	Marcellino Tanumihardja	129358	5240
52531 7590 01/10/2008 CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			EXAMINER WINDER, PATRICE L	
			ART UNIT 2145	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/894,279

Applicant(s)

TANUMIHARDJA ET AL.

Examiner

Patrice Winder

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55,59-61 and 64-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55,59-61 and 64-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 23, 2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
 2. Ascertaining the differences between the prior art and the claims at issue.
 3. Resolving the level of ordinary skill in the pertinent art.
 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1-4, 6-7, 9-16, 18-21, 23-26, 28-31, 33-34, 36-43, 45-48, 50-53, 55, 59-61, 64-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thro et al.,

USPN 6,147,977 (hereafter referred to as Thro) in view of Jamtgaard et al., USPN 6,430,624 B1 (hereafter referred to as Jamtgaard).

1. Regarding claims 1, 28 and 71 Thro taught a method comprising:

determining a target wireless device type to which a message notification is sent by a first asynchronous process that performs device processing (column 4, lines 60-67; column 5, lines 1-10);

determining a type of message notification a target wireless-device can receive by a second asynchronous process that performs device provisioning (column 5, lines 46-67);

polling a queue table to send the message notification, to the target wireless-device by a third asynchronous process (waiting to receive messages, column 8, lines 50-61, 1-8);

receiving a response aggregation (column 3, lines 7-16; column 9, lines 58-65). Thro does not specifically a message notification which is transformed using a style sheet for the determined target wireless-device type. However, Jamtgaard taught a message notification which is transformed using a style sheet for a determined target wireless device type (column 6, lines 37-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Jamtgaard's style sheets in Thro's system for processing messages based on predetermined matrices would have improved the ability to display the messages in a hypermedia format. The motivation would have been to transform the message

notifications to a presentation format more useful and more specific to the individual devices.

2. Regarding dependent claims 2, 29, and 72, Jamtgaard taught said detecting a wireless-device capability comprises: detecting a WML capable browser (column 4, line 66-column 5, line 6).

3. Regarding dependent claims 3 and 30, Jamtgaard taught said detecting a wireless-device capability comprises: detecting a Compact HTML capable browser (column 4, line 66-column 5, line 6).

4. Regarding dependent claims 4 and 31, Jamtgaard taught said detecting a wireless-device capability comprises: detecting a Pocket IE HTML capable browser (column 4, line 66-column 5, line 6).

5. Regarding dependent claims 6 and 33, Jamtgaard taught said detecting a wireless-device capability comprises: detecting a commercially available browser (column 4, line 66-column 5, line 6).

6. Regarding dependent claims 7 and 34, Jamtgaard taught said detecting a commercially available browser comprises: associating a mark-up language with a detected Pocket IE browser (column 4, line 66-column 5, line 6, column 8, lines 30-35).

7. Regarding dependent claims 9 and 36, Jamtgaard taught said detecting a commercially available browser comprises: associating a mark-up language with a detected Palm Query Application browser (column 4, line 66-column 5, line 6, column 8, lines 30-35).

8. Regarding dependent claims 10, 37 and 73, Jamtgaard taught wherein said detecting a wireless-device capability comprises: determining a target wireless device type via scanning of a Hyper Text Transfer Protocol (http) header (column 8, lines 30-35).

9. Regarding dependent claims 11 and 38, Jamtgaard taught presenting, in response to the determined wireless-device type, a message at least partially in audible-presentation form, visual-presentation form, or tactile-presentation form (column 8, lines 47-61).

10. Regarding dependent claims 12, 39 and 74, Jamtgaard taught said presenting, in response to the determined wireless-device type, a message at least partially in audible-presentation form, visual-presentation form, or tactile-presentation form comprises:

formulating message data into a wireless-device-capability-specific message via use of at least one wireless-device-capability-specific file set (column 7, line 48-column 8, line 15).

11. Regarding dependent claims 13 and 40, Jamtgaard taught said formulating message data into a wireless-device-capability-specific message via use of at least one wireless-device-capability-specific file set comprises: retrieving at least one wireless-device-capability-specific XSL file set (column 7, lines 48-58).

12. Regarding dependent claims 14 and 41, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a WML capability-specific XSL file set (column 4, line 66-column 5, line 6).

13. Regarding dependent claims 15 and 42, Jamtgaard taught wherein said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a CHTML capability-specific XSL file set (column 4, line 66-column 5, line 6).

14. Regarding dependent claims 16 and 43, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a Pocket IE HTML capability-specific XSL file set (column 4, line 66-column 5, line 6).

15. Regarding dependent claim 18, 45 and 75 Jamtgaard taught said formulating message data into a wireless-device-capability-specific message via use of at least one wireless-device-capability-specific file set comprises:

utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate browser (column 8, lines 4-17).

16. Regarding dependent claims 19 and 46, Jamtgaard taught said utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a browser comprises:

utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a WML capable browser (column 8, lines 4-17).

17. Regarding dependent claims 20 and 47, Jamtgaard taught said utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML

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representation of the message to create a message appropriate to a browser comprises:

utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a CHTML capable browser (column 4, line 66-column 5, line 6, column 8, lines 4-17).

18. Regarding dependent claims 21 and 48, Jamtgaard taught said utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a browser comprises:

utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a Pocket IE HTML capable browser (column 4, line 66-column 5, line 6 and column 8, lines 4-17).

19. Regarding dependent claims 23 and 50, Jamtgaard taught said utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a browser comprises:

retrieving at least one wireless-device-capability-specific XSL file set (column 7, lines 48-63).

20. Regarding dependent claims 24 and 51, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a WML capability-specific XSL file set (column 4, line 66-column 5, line 6).

21. Regarding dependent claims 25 and 52, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a CHTML capability-specific XSL file set (column 4, line 66-column 5, line 6).

22. Regarding dependent claims 26 and 53, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a Pocket IE HTML capability-specific XSL file set (column 4, line 66-column 5, line 6).

23. Regarding claim 55, Thro taught a system (abstract) comprising:

a first component configured to determine a target wireless device type to which a message notification is sent by a first asynchronous process that performs device processing (column 4, lines 60-67; column 5, lines 1-10);

a second component configured to determine a type of message notification a target wireless-device can receive by a second asynchronous process that performs device provisioning (column 5, lines 46-67);

a third component configured to poll a queue table to send the message notification, to the target wireless-device by a third asynchronous process (waiting to receive messages, column 8, lines 50-61, 1-8);

a fourth component configured to receive a response aggregation (column 3, lines 7-16; column 9, lines 58-65); wherein the fourth component is selected from an electrical component group including electrical component having at least one discrete electrical component, electrical component having at least one integrated component, electrical component having at least one application specific integrated component, electrical component forming a general purpose computing device configured by a computer

program, electrical component forming a memory device, and/or electrical component forming communications device (column 8, lines 35-45). Thro does not specifically a message notification which is transformed using a style sheet for the determined target wireless-device type. However, Jamtgaard taught a message notification which is transformed using a style sheet for a determined target wireless device type (column 6, lines 37-47). For motivation for combination see claim 1, above.

24. Regarding dependent claims 59 and 64, Jamtgaard taught said detecting a communication associated with the wireless device comprises: transmitting a message associated with the wireless device (column 7, lines 1-12).

25. Regarding dependent claims 60 and 65, Thro taught transmitting a message associated with the wireless device comprises: transmitting the message associated with a response aggregation (column 3, lines 7-16).

26. Regarding dependent claim 61, Thro taught means for detecting a communication associated with the wireless device (column 8, lines 64-67).

27. Regarding claims 66, 69, 70, Jamtgaard taught a method comprising: a component to determine a target wireless-device type (column 7, lines 17-26; column 4, lines 58-66). Jamtgaard does not specifically teach a component to detect a wireless-device response aggregation event. However, Thro taught a component to detect a wireless-device response aggregation event (column 3, lines 7-16; column 9, lines 58-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Thro's response aggregation in Jamtgaard's system for determining a wireless device type would have conserved system resources.

The motivation would have been to prevent the message originator from being inundated with low priority responses (column 9, lines 58-65).

28. Regarding dependent claim 67, Thro taught said detecting a wireless-device response aggregation event comprises: detecting an operation related to a response aggregation drawn upon a message (column 3, lines 64-67; column 4, lines 1-12).

29. Regarding dependent claim 68, Thro taught said detecting a wireless-device response aggregation event comprises: detecting a signal related to a response aggregation drawn upon a message (acknowledgement signal, column 3, lines 7-16).

30. Claims 5, 17, 22, 27, 32, 44, 49, 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard-Thro in view of Didier Martin, Adapting Content for VoiceXML.

31. Regarding dependent claims 5 and 32, Jamtgaard taught said detecting a wireless-device capability comprises: detecting a XML capable browser (column 4, line 66-column 5, line 6).

32. Regarding dependent claims 17 and 44, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a XML capability-specific XSL file set (column 7, lines 48-58).

33. Regarding dependent claims 22 and 49, Jamtgaard taught wherein said utilizing the at least one wireless-device-capability-specific file set in conjunction with an XML representation of the message to create a message appropriate to a browser comprises: utilizing the at least one wireless-device-capability-specific file set in

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conjunction with an XML representation of the message to create a message appropriate to a XML capable browser (column 8, lines 4-17).

34. Regarding dependent claims 27 and 54, Jamtgaard taught said retrieving at least one wireless-device-capability-specific XSL file set comprises: retrieving a XML capability-specific XSL file set (column 7, lines 48-63).

35. As to dependent claims 5, 17, 22, 27, 32, 44, 49 and 54, Jamtgaard does not specifically teach voice XML. However, Martin taught translating XML into voice XML (paragraphs 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made that substituting Martin's adapting XML content into voice XML content would have improved system effectiveness. The motivation would have been to transform the messages into a format that the recipient device can perceive (Martin, paragraphs 1-2).

36. Claims 8 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard-Thro in view of Phone.com, Press Release: GVC Licenses Phone.com Up.browser Microbrowser for Mobile Phones in Asia and Europe.

37. Regarding dependent claims 8 and 35, Jamtgaard taught said detecting a commercially available browser comprises: associating a mark-up language with a detected browser (column 8, lines 25-35). Jamtgaard does not specifically teach the browser is an Up.browser. However, Phone.com taught Up.browser (paragraph 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Phone.com's Up.browser in Jamtgaard's system for content

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delivery would have improved system effectiveness. The motivation would have been to better provide wireless Internet services (Phone.com, paragraph 3).

Response to Arguments

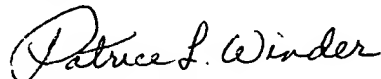
38. Applicant's arguments with respect to claims 1-55, 59-61, 64-75 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Patrice Winder
Primary Examiner
Art Unit 2145

January 6, 2008